



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

MAR 10 2016

REPLY TO THE ATTENTION OF:

E-19J

Michael Davies
Division Administrator
Federal Highway Administration
525 Junction Road, Suite 8000
Madison, Wisconsin 53717

**Re: Final Environmental Impact Statement for the I-94 East-West Corridor from
70th Street to 16th Street, Milwaukee County, Wisconsin - CEQ#20160028**

Dear Mr. Davies:

The U.S. Environmental Protection Agency has reviewed the Final Environmental Impact Statement (EIS) for the I-94 East-West Corridor from 70th Street to 16th Street in Milwaukee County, Wisconsin as provided by the Federal Highway Administration (FHWA) and the Wisconsin Department of Transportation (WisDOT). Our comments are provided pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality's NEPA Implementing Regulations (40 CFR 1500-1508), and Section 309 of the Clean Air Act.

FHWA and WisDOT identified the At-Grade alternative with the half-interchange at Hawley Road (West segment/70th Street to Stadium Interchange) and On-Alignment alternative (East Segment/Stadium Interchange to 16th Street) as the preferred alternative; EPA provided concurrence on the preferred alternative on March 17, 2016.

EPA provided comments on the Draft EIS on January 16, 2015, assigning a rating of Lack of Objections. However, we identified several issues that needed to be clarified in the Final EIS and mitigation measures that should be committed to in the Record of Decision (ROD). Based on our review of the Final EIS, including the response to comments found in Appendix E, we note the following:

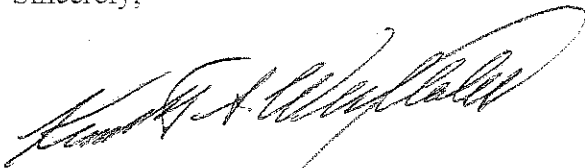
- **Environmental Justice**: EPA finds the additional information provided in the Final EIS and response to comments satisfactory. We have no further comment or recommendation on this issue.
- **Visual and Aesthetics**: EPA previously commented on WisDOT and FHWA's commitment to community-sensitive design (CSD) to minimize impacts and identify mitigation measures. Per the response to comments, we acknowledge that funding no longer exists for CSD efforts, based on the 2015-2017 State of Wisconsin budget. However, we recommend WisDOT and FHWA consider pursuing auxiliary sources of funding for CSD. We also recommend WisDOT and FHWA work with community

groups to identify potential sources of funding for similar design features for the project area.

- **Utility Impacts:** EPA notes that because the preferred alternative does not require movement of the utility lines, there will be no impacts related to utility line relocation. We have no further comment or recommendation on this issue.
- **Surface Water:** EPA previously commented on potential opportunities for green stormwater management, such as in the parking facilities at Miller Park. We acknowledge and commend that this has been conceptually discussed with the Southeast Wisconsin Professional Baseball District, with final design to be completed after the ROD is finalized. EPA strongly encourages commitment to green stormwater management efforts be included in the ROD, even if the discussion is still conceptual at the point.
- **Diesel Emission:** EPA notes the reference to our diesel emission reduction measures in the Final EIS in section 3.27.4.3; we strongly encourage WisDOT and FHWA include these measures in the ROD and eventual contract specifications, as appropriate.

Thank you in advance for your consideration of our comments. Please send us a copy of the Record of Decision once it becomes available. If you have any questions, please do not hesitate to contact me or Elizabeth Poole of my staff at 312-353-2087 or poole.elizabeth@epa.gov.

Sincerely,



Kenneth A. Westlake
Chief, NEPA Implementation Section
Office of Enforcement and Compliance Assurance

cc (via email): Bethaney Bacher-Gresock, Federal Highway Administration
 Rebecca Graser, U.S. Army Corps of Engineers
 Jill Utrup, U.S. Fish and Wildlife Service
 Bill Jankowski, Department of Veterans Affairs
 Michele Curran, National Park Service
 Dobra Payant, Wisconsin Department of Transportation
 Michael Thompson, Wisconsin Department of Natural Resources
 Jim Draeger, Wisconsin Historical Society